



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

A great service might have been rendered by a discriminating reference at the end of every chapter. A future edition might well be improved by this important addition.

WILLIAM HEALY

CHICAGO

---

*The Socialist Movement.* By J. RAMSAY MACDONALD, M.P. New York. Henry Holt & Co., 1911. Pp. xiii+256.

The book consists of four parts: (1) "Socialist Evolution"; being a discussion of individualistic and socialistic tendencies in politics, economics, and industry. (2) "Socialist Criticism"; being a recital of the usual imputations, strictures, and charges against capitalism. (3) "Socialist Construction"; being a good exposition of what socialism is not, of the immediate demands of socialism, and of the socialist state. (4) "The Socialist Movement"; being a short account of the movement including the Utopians, Marxians, and the German, French, Italian, Belgian, and American parties.

Whatever the author did he did well. The argument lacks the rigor and vigor of the Marxian, becoming at many points so mild as hardly to be distinguished from a plan of meliorism which seeks not to overthrow the fundamental institutions but to improve them. The method of revolution, economic determinism, class struggle, the abolition of all private property are alike read out of court as not essential to or representative of genuine modern socialism.

The author has packed much into the small compass of the volume. He has taken such reasonable positions on most points that he will not antagonize those who differ from him in belief but will invite them to "come and reason together." I heartily commend the book to Socialists and non-Socialists alike.

T. J. RILEY

---

*"Obscene" Literature and Constitutional Law.* A Forensic Defense of the Freedom of the Press. By THEODORE SCHROEDER. New York, Privately printed, 1911. Pp. 439.

The problem of obscenity under the law is important and difficult, and a scholarly and dispassionate discussion of it would be welcomed. The tone of the present treatise, however, displays a want of judicial temper and sometimes a want of dignity. Such phrases as "I cannot for the life of me conceive," or "pee-wee clerk," or "the varied intellectual wabblings of the United States courts" are in doubtful taste.

Moreover, the author is so diffuse in his exposition that few readers will have the patience to examine his arguments with minuteness.

The difficulty with the subject is to reconcile the legitimate claims of science, art, literature, and social agitation with the claims of decency. It is futile to insist upon the freedom of the press, since such freedom cannot be conceived of without some limitations. The real question is whether there is an objective standard by which a court can control a jury, or an appellate court can control a lower court. The efforts of any writer upon the subject should be directed toward the ascertainment of such a standard. In a matter which is so much dependent upon convention it is doubtful whether a standard other than that of the most enlightened public sentiment is possible. The impartial observer will concede that, generally speaking, public opinion in this country draws the line in a tolerably satisfactory manner between that which is permissible in public discussion and performance and that which is not. If we err somewhat in the direction of intolerance, France and Germany err more seriously in the direction of license, and the general results are, on the whole, in our favor. It is undeniable that official and even judicial errors occur; it is only necessary to refer to the egregious blunder of the post-office department officials—tardily corrected—of shutting out from the mails the report of the Chicago Vice Commission. Such blunders or miscarriages of justice may well be denounced or ridiculed. But the criticism will be more effective if not accompanied by excessive or untenable pleas for license.

Mr. Schroeder does not discuss the question whether the power over the post-office is properly exercised by dealing with the contents of mail matter by way of criminal punishment. Were the question an open one it might be contended that the interference of the federal government is a usurpation of power. But it is useless to find fault with an accomplished extension of jurisdiction which is indorsed by public opinion. It is, however, more than questionable whether the act of July 1, 1902, punishing the placing of indecent pictures, etc., with packages of cigarettes, can be sustained as valid legislation under the powers of Congress.

The author contends that in the absence of definite objective criteria the denunciation of obscenity as a crime is so vague and indefinite as to amount to a violation of due process of law. Unless the author is prepared to furnish such criteria the argument amounts to saying that obscenity, because its test is somewhat elusive, cannot be dealt with at all criminally, and we are not prepared to accept this conclusion.

There is one real weakness in the present law which Mr. Schroeder

might have attacked with some hope of finding the support of the legal profession, and that is the prevailing method of disposing of the question whether matter should be admitted into or excluded from the mails. It is contrary to principle to leave what is after all a question of right to the practically final decision of an administrative official; practically final because the resort to the courts is precarious and offers no guaranty of independent review. Here, as in other matters left to the discretion of the department in Washington, the law should provide a method of review with at least some of the guaranties of impartiality and judicial spirit.

---

ERNST FREUND

*Charity and Social Life.* A Short Study of Religious and Social Thought in Relation to Charitable Methods and Institutions.  
By C. S. LOCH. New York: Macmillan, 1910. Pp. xii+496.  
\$2 net.

In the words of the Preface, "this book is for the most part a reprint of an article on 'Charity and Charities' which was first published in 1902 in the supplementary volumes of the *Encyclopaedia Britannica*." Inasmuch as the same article appears in the latest edition of the great British reference work, the views and conclusions of the volume in hand will reach a much wider audience than the book itself.

Essentially the work is a history and a collection of precepts. It presents in outline the doctrines, methods, and results of charity, from the earliest known times to the latest, together with the author's ideas concerning sound doctrines and efficient methods. Both the historical and the didactic parts have been written with especial reference to social considerations. In his historical discussion the author treats of the bearing of social thought and action, whether civil, ethical, or religious, upon charitable thought and action; and of the effect of charitable actions, theories, methods, and institutions upon social welfare and social progress. When he endeavors to formulate correct statements of theory and method, he likewise lays particular stress upon the capacities and needs of society. The principal topics dealt with are: the primitive pagans, the Greeks, the Romans, the Hebrews, the early Christians, the parish organization ancient and modern, mediaeval and modern endowments, monasticism, feudalism, the guilds, mediaeval revision of theory, the Reformation, the Poor Law, voluntary charity immediately after the enactment of that measure, the progress of charitable thought in the eighteenth and nineteenth centuries, the relation of charity to sociology